

CALFRESH (CF) PROGRAM **REQUEST FOR POLICY/REGULATION INTERPRETATION**

INSTRUCTIONS: Complete items 1 - 10 on the form. Use a separate form for each policy interpretation request. If additional space is needed, please use the second page. Be sure to identify the additional discussion with the appropriate number and heading. Retain a copy of the CF 24 for your records.

- Questions from counties, including county Quality Control, must be submitted by the county CalFresh Coordinator and may be submitted directly to the CalFresh Policy analyst assigned responsibility for the county, with a copy directed to the appropriate CalFresh Policy unit manager.
- Questions from Administrative Law Judges may be submitted directly to the CalFresh Policy analyst assigned responsibility to the county where the hearing took place, with a copy of the form directed to the appropriate CalFresh Bureau unit manager.

1. RESPONSE NEEDED DUE TO: <input checked="" type="checkbox"/> Policy/Regulation Interpretation <input type="checkbox"/> QC <input type="checkbox"/> Fair Hearing <input type="checkbox"/> Other:	5. DATE OF REQUEST: 1/4/2016	NEED RESPONSE BY: ASAP
2. REQUESTOR NAME:	6. COUNTY/ORGANIZATION: YOLO	
3. PHONE NO.:	7. SUBJECT: Liability for an Overissuance	
4. REGULATION CITE(S): 63-801.61 and .611	8. REFERENCES: (Include ACL/ACIN, court cases, etc. in references) NOTE: All requests must have a regulation cite(s) and/or a reference(s).	

9. QUESTION: (INCLUDE SCENARIO IF NEEDED FOR CLARITY):

When an adult individual is not in the home in a certain month and the household received benefits for that person incorrectly or fraudulently, is that adult person still liable for the overissuance claim?

EXAMPLES:

1. Household is required to report a person out of the home at the the of the SAR 7, they do not report that that person left the home (an adult son). The county receives verified information that the adult son was out of the home (he was incarcerated) and charges an OI from the time when the household SHOULD have reported the son out of the home? Is the son still liable for that OI even though he was out of the home AND had no way to report this himself?
(continued below)

10. REQUESTOR'S PROPOSED ANSWER:

These persons should not be liable for these OI as they were not supposed to be household members and they had no knowledge of receipt of benefits OR no ability to report changes.

11. STATE POLICY RESPONSE (CFPB USE ONLY):

MPP 63-801.431(f) states: "Claim collection will be from all adults who were in the household when the overpayment occurred," therefore CDSS concurs with the county's proposed answer.

FOR CDSS USE

DATE RECEIVED:

October 13, 2016

DATE RESPONDED TO COUNTY/ALJ:

October 18, 2016 (WEB)

CALFRESH (CF) PROGRAM**REQUEST FOR POLICY/REGULATION INTERPRETATION (Continued)**

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2. REQUESTOR NAME:	6. COUNTY/ORGANIZATION:	
3. PHONE NO.:	7. SUBJECT:	
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EXAMPLES:

2. Mother is receiving CalFresh for her adult daughter fraudulently, and daughter does not live in the home with her, during this time period the mother (or the county) commit various reporting (or processing) errors and OI are created for which both the mother and the daughter are liable. The daughter receives a bill for the OI during collections processing and provides verification that she never resided with the mother during that time period and had no idea that someone was receiving aid for her. Is the daughter still liable for the OI during the time period she was fraudulently aided?